

[| NODIS Library](#) | [Human Resources and Personnel\(3000s\)](#) | [Search](#) |

NASA Procedural Requirements

NPR 3351.1Effective Date: May 07, 1999
Expiration Date: August 07, 2006**COMPLIANCE IS MANDATORY**

Reduction In Force (RIF) For NASA Employees

Responsible Office: Office of Human Capital Management

Table of Contents

Cover

[Preface](#)

P.1 Purpose
P.2 Applicability
P.3 Authority
P.4 References
P.5 Cancellation

[Chapter 1. Responsibility](#)

[Chapter 2. Reduction in Force \(RIF\)](#)

[Chapter 3. Transfer of Function](#)

Effective Date: May 7, 1999

Preface

P.1. Purpose

This NPR establishes, in accordance with applicable law and regulations, the responsibilities, procedures and requirements for conducting Reduction in Force, transfer of function, or furlough for more than 30 days. NASA will conduct such actions based on careful consideration of legitimate management and mission-related requirements. These procedures document the Agency's RIF procedures for removal of members of the Senior Executive Service (SES) to comply with 5 CFR 359.601(c). This NPR provides Agency direction, which should be used in conjunction with the referenced statutory and regulatory requirements. Center Personnel Offices should be consulted for further information and guidance.

P.2. Applicability

This NPR is applicable to career members of the SES and all non-SES employees at NASA Headquarters and NASA Centers, including Component Facilities. This NPR does not apply to noncareer, limited, or reemployed annuitant SES members who serve at the discretion of the Administrator. Unless otherwise indicated, use of the word Center(s) in the text of the NPR includes NASA Headquarters and any reference to Center Director(s) includes the Assistant Administrator for Institutional and Corporate Management.

P.3. Authority

- a. Title 5, United States Code (U.S.C.), Part III, Subpart B, Chapter 35, Subchapters I and V.
- b. Title 5, Code of Federal Regulations (CFR), Parts 351, 359, and 430.

P.4. References

- a. NPD 3000.1, Management of Human Resources.
- b. NPR 3330.1, NASA Career Transition Assistance Program (CTAP).

P.5. Cancellation

None.

/s/ Vicki A. Novak
Assistant Administrator for
Human Resources

Distribution:

NODIS

Chapter 1. Responsibility

1.1. Administrator

The Administrator retains the authority to approve the following:

1.1.1. The need for a RIF in the SES.

1.1.2. All SES RIF staffing actions.

1.2. Associate Administrator for Human Resources

The Assistant Administrator for Human Resources, as the Chairperson, Executive Resources Board, is responsible for the following:

1.2.1. Ensuring that NASA RIF's in the SES are based on concepts of efficiency and effective mission support and are carried out in accordance with governing regulations and NASA policies and procedures.

1.2.2. Developing and implementing Agency procedures for RIF and related personnel functions in the career SES consistent with appropriate laws and Office of Personnel Management (OPM) regulations.

1.2.3. Coordinating the issuance of appropriate notices and other required SES RIF documentation with Executive Position Managers (EPM's) and appointing officials.

1.2.4. Certifying in writing to OPM when SES positions are unavailable in the Agency for the placement of surplus SES employees.

1.3. Center Directors

Center Directors are authorized to determine the need for a RIF for non-SES employees under the administrative authority of their Center. This authority may not be redelegated. Center Directors may establish the competitive area(s) for such employees, with the approval of the Director, Personnel Division. The authority to establish competitive areas may be redelegated to one level below the Center Director.

1.4. Director, Personnel Division

The Director, Personnel Division, is responsible for the following:

1.4.1. Ensuring that actions taken under RIF procedures are in compliance with regulatory requirements and approving any competitive area for non-SES employees that differs from the standard competitive area (as described in paragraph 2.3 in chapter 2).

1.4.2. Maintaining liaison with OPM on SES RIF policy and placement offers for affected SES employees.

1.4.3. Reviewing plans to conduct a RIF in the SES; providing advice, recommendations, and technical support for implementation of the RIF process.

1.5. Executive Position Managers (EPM's)

The EPM's, as defined in 3.1.7, are responsible for the following:

1.5.1. Identifying SES positions in their organization that will become surplus because of program curtailment, lack of

funds, reorganization, reduction in personnel allocation, or any other causes that will result in a reduction in the size of their SES workforce.

1.5.2. Reassigning qualified subordinate SES employees from surplus positions to vacant existing positions in their organization.

1.5.3. To the extent resources and sound management practices allow, recommending the establishment of new SES positions in their organization to which employees in surplus positions can be reassigned.

1.5.4. Forwarding requests for personnel action along with appropriate documentation to support RIF actions affecting subordinate SES employees. Certification that SES vacancies, to which executives in surplus positions can be reassigned, neither exist nor can be established within existing resources must be provided as part of the documentation.

1.5.5. Making a concerted effort to reassign SES employees from surplus positions to vacant positions during the complete RIF process, including during the 45-day period of Governmentwide placement assistance provided by the OPM for postprobationary employees.

Chapter 2. Reduction in Force (RIF), Transfer of Function, and Furlough for Non-Senior Executive Service Positions

2.1. Definitions

Unless otherwise noted, the definitions for terms used in this chapter may be found in 5 CFR Part 351.

2.2. RIF Planning

2.2.1. Each NASA Center affected by RIF, transfer of function, or furlough will designate to the Chief, Agency Personnel Policy Branch, one individual and an alternate to be the primary interface with the Personnel Division. This person will provide information necessary to satisfy inquiries both from within NASA and from external sources, as well as to provide a focal point for the flow of information between the Center and the Personnel Division during the RIF action.

2.2.2. The Director, Personnel Division, will be advised, prior to the issuance of any notices to employees, when any workforce adjustment is planned that may result in the application of RIF procedures. In addition, as soon as tentative information is available concerning RIF actions, the Center Personnel Office will furnish information to the Chief, Agency Personnel Policy Branch, concerning the potential impact of the RIF action.

2.3. Competitive Areas

2.3.1. General. Standard competitive areas established for each NASA Center or activity are defined below. This document fulfills the requirement to establish competitive areas for RIF. Additional documentation is only required to establish a competitive area that is different from the standard area. Areas that combine employees of more than one Center require the endorsement of all affected Centers.

2.3.2. Extent of Area. Unless otherwise specified in writing by the Center, the standard competitive area shall comprise all NASA activities within a commuting area under the same administrative authority. Thus, all employees of a Center within a commuting area will be in one competitive area. When two or more activities within a commuting area are under different administrative authorities, they constitute separate competitive areas even though they may share the same physical location.

2.3.3. Changes to Area. Changes to a competitive area must be approved by the Director, Personnel Division. Any change that would occur within 90 days of the effective date of a RIF, which requires OPM approval, must be accompanied by supporting documentation.

2.3.4. Publication. Each Center will ensure that designations of competitive areas, including any changes, are made available for review by all employees and OPM.

2.4. Commuting Area

For purposes of determining entitlements under programs covered by this document (including severance pay and discontinued service retirement), employees of Headquarters, duty stationed in the Washington, DC, metropolitan area, and employees of the Goddard Space Flight Center, duty stationed at Greenbelt, MD, are in the same commuting area.

2.5. Credit for Performance

This document satisfies the requirement in 5 CFR 351.504 to publish Agency policy on consideration of appraisals for RIF purposes.

2.5.1. Ratings Used for RIF. The following types of ratings qualify as ratings of record for RIF purposes:

2.5.1.1. A cyclical performance rating issued at the end of the Center's performance appraisal period;

2.5.1.2. An improved rating after successfully completing an opportunity period;

2.5.1.3. An assumed rating of fully successful following demotion or reassignment due to unacceptable performance;

2.5.1.4. A rating issued for the purpose of granting or denying a within-grade increase, because the current rating of record does not support the proposed action; or

2.5.1.5. An assumed rating of fully successful (or equivalent), if fewer than three actual ratings were issued during the applicable 4-year period.

2.5.2. Ratings of record established under any NASA performance management system will be used for RIF purposes. Ratings from other Federal agencies must be credited in a consistent and uniform manner by the Center conducting the RIF.

2.5.3. Service credit will be awarded based on the rating levels (from 2-5 levels, depending on the applicable performance management system), as described in 5 CFR Part 351. Credit will be based on the system under which the rating was issued, whether or not it matches the current NASA system. For the purpose of determining the three most recent ratings of record, the Center will establish a cutoff period for ratings of at least 30 days prior to the issuance of RIF notices. To comply with regulations, this period must be stated as a number of days prior to the issuance of RIF notices rather than an actual date. During this period, no ratings will be put on record and used for RIF purposes. For a rating to be considered received and on record by the cutoff date for RIF purposes, the rating must fulfill all requirements of the NASA Employee Performance Communication System (or other applicable rating system) and have been issued to the employee, and the Center's Personnel Office must have been notified of the rating level.

2.5.4. A current rating of record, which is used to determine assignment rights, is the most recent rating of record, which has been received by the employee and on record before the RIF cutoff period.

2.6. Reports of RIF Appeals and Grievances

Each Center is responsible for submitting a separate appeal/grievance report to the Chief, Agency Personnel Policy Branch, for each significant RIF (i.e., 10 or more RIF actions). The report must include the number of grievances and appeals filed, withdrawn, sustained, denied and pending, and final adjudication. Negative reports are required.

2.7. Employee Placement Assistance Program

Each Center affected by RIF will ensure that every reasonable effort will be made to assist adversely affected employees in locating employment. As a minimum, this program shall comply with Federal regulations and the NASA Career Transition Assistance Program (CTAP) requirements and initiatives (see NPR 3330, NASA CTAP). NASA Centers are encouraged to go beyond these requirements to develop local programs to give displaced employees maximum placement opportunities.

2.8. Requests for Voluntary Early Retirement Authority

Center requests for early retirement authorization should be forwarded to the Chief, Agency Personnel Policy Branch. Advance contact may be helpful to prepare the package for OPM approval and to determine whether an Agencywide approach is appropriate.

Chapter 3. Reduction in Force (RIF) in the Career Senior Executive Service

3.1. Definitions

3.1.1. Reduction in Force (RIF). See 5 CFR 359.601(b)(2).

3.1.2. Post-Probationary Career Appointee. A career individual in the SES whose appointment was based on conversion or approval by OPM of the executive qualifications of such an individual and who, as of the effective date of the RIF, has completed or was not required to serve a probationary period.

3.1.3. Probationary Career Appointee. A career individual in the SES whose appointment was based on conversion or approval by OPM of the executive qualifications of such an individual but who, as of the effective date of the RIF, has not completed the 1-year probationary period.

3.1.4. Competitive Area. For the purposes of RIF in the SES, competitive areas are established for employees assigned to NASA Headquarters and its Component Facilities and each NASA Center and its Component Facilities (regardless of duty location). For example, employees assigned to Headquarters, Johnson Space Center, and Lewis Research Center are in three separate competitive areas. In each competitive area, post-probationary and probationary career appointees compete for job retention.

3.1.5. Service Computation Date (SCD). A composite date, determined in the same manner for SES as in the General Schedule (see 5 CFR 351.503), representing an appointee's total creditable civilian and uniformed service for retention standing in RIF competition.

3.1.6. Performance Rating. An official SES performance rating as reviewed by the Performance Review Board or Senior Executive Committee and approved by the Administrator or a designee as appropriate. For SES recently transferred from another Federal agency, the current final rating given by the former agency will be used. These are final ratings under 5 CFR Part 430, Subpart C.

3.1.7. Executive Position Managers (EPM's). Officials-in-Charge of Headquarters Offices and Center Directors who have been designated to manage SES positions within their organizational jurisdiction.

3.2. Procedures

3.2.1. Pre-Reduction in Force Actions

3.2.1.1. The EPM will propose personnel actions resulting from the elimination or modification of a position due to a reorganization, lack of funds or curtailment of work, or any other appropriate factor. The EPM will make every effort to avoid RIF by reassignment of appointees in surplus positions to vacant SES positions within the immediate organization. When placement in a vacant SES position is not possible, the EPM must request placement assistance.

3.2.1.2. Requests for placement assistance will be forwarded to the Chairperson, Executive Resources Board (ERB). Center Directors will forward requests through the appropriate Institutional Program Office Associate Administrator. Such proposals must include the following:

- a. A detailed discussion of the circumstances leading to the potential RIF situation.
- b. A discussion of the steps taken to avoid the potential RIF situation.
- c. Certification that SES vacancies for which employees in surplus positions are qualified neither exist nor can be established within existing resources.

d. Recommendations, if any, regarding appropriate placements in other NASA organizations.

3.2.1.3. The Chairperson, ERB, will identify vacant SES positions outside the organization having the surplus for which the incumbents are qualified and make referrals to the appropriate EPM's for selection consideration. EPM responses will be considered, and recommendations on placement will be made to the Administrator. Incumbents of surplus positions for which no placement is made will be identified for RIF. Those so identified will compete for retention and placement as described below.

3.2.2. Implementation of Reduction in Force (RIF). Career appointees who occupy surplus positions and who have not been identified for placement by reassignment into vacant SES positions in accordance with paragraph 3.1.1 will be subject to a formal RIF, conducted on the basis of retention competition. The Chairperson, ERB, will provide staff support for the implementation of the RIF process and will direct the preparation of retention registers.

3.2.2.1. Retention Registers. Career appointees who occupy surplus positions are entitled to compete for job retention. A retention register will be compiled of the incumbents of all SES positions within the competitive area. These career appointees, along with the incumbents of the surplus positions, will be listed on the retention register in accordance with the retention groups and subgroups described below. Veterans preference does not apply.

3.2.2.2. Retention Standing. Career appointees on the retention register are listed by groups and subgroups, with probationary status and performance given primary consideration. Within each subgroup, appointees are listed in descending order of SCD's. Recipients of the Presidential Rank of Distinguished Executive will be placed at the top of the appropriate subgroup for a period of 4 years following the award. Recipients of the Presidential Rank of Meritorious Executive will be placed at the top of the appropriate subgroup for a period of 2 years following the award. All Rank recipients entitled to placement at the top of a subgroup will be listed in descending order of SCD's. Appointees will be assigned to retention subgroups based on an average of their three most recent performance ratings (Outstanding-5; Highly Successful-4; Fully Successful-3; Minimally Satisfactory-2; Unsatisfactory-1). Only final SES ratings will be used; therefore, the subgroup for an appointee with only two ratings will be based on an average of the two ratings. The following subgroup for an appointee with only one rating will be determined by that rating:

a. Group I. Post-probationary career appointees with Fully Successful or higher performance ratings, listed in each subgroup in descending order of SCD's.

(Note: Eligible Presidential Rank recipients will be placed at the top of each subgroup in descending order of SCD's as described above.)

Subgroup IA. Appointees with an average rating of 5.0.

Subgroup IB. Appointees with an average rating of 4.67.

Subgroup IC. Appointees with an average rating of 4.5.

Subgroup ID. Appointees with an average rating of 4.33.

Subgroup IE. Appointees with an average rating of 4.0.

Subgroup IF. Appointees with an average rating of 3.67.

Subgroup IG. Appointees with an average rating of 3.5.

Subgroup IH. Appointees with an average rating of 3.33.

Subgroup II. Appointees with an average rating of 3.0.

b. Group II. Probationary career appointees with Fully Successful or higher performance ratings, listed in each subgroup in descending order of SCD's.

Subgroup IIA. Appointees with an average rating of 5.0.

Subgroup IIB. Appointees with an average rating of 4.67.

Subgroup IIC. Appointees with an average rating of 4.5.

Subgroup IID. Appointees with an average rating of 4.33.

Subgroup IIE. Appointees with an average rating of 4.0.

Subgroup IIF. Appointees with an average rating of 3.67.

Subgroup IIG. Appointees with an average rating of 3.5.

Subgroup IIH. Appointees with an average rating of 3.33.

Subgroup III. Appointees with an average rating of 3.0.

c. Group III. Appointees with at least one rating below Fully Successful, listed in each subgroup in descending order of average rating and SCD's

Subgroup IIIA. Post-probationary appointees.

Subgroup IIIB. Probationary appointees.

3.2.2.3. Displacement and Consequence of Competition

a. If there are appointees on the retention register occupying positions for which the surplus appointee meets the established qualification requirements who are in a lower retention group, or in the same retention group but in a lower retention subgroup based on an average rating at least 1 point lower, the appointee of the surplus position will be offered reassignment to the position of the appointee with the lowest retention standing. The appointee who is displaced may, in turn, displace anyone on the retention register with lower standing on the retention register as described above. If there are no appointees on the retention register in such positions who have lower retention standing, there is no displacement.

b. Appointees in surplus positions and displaced employees are given consideration for exercise of any assignment right, offers of reinstatement where eligible to a vacant General Schedule position, and where eligible, certification to the OPM for placement assistance as described in paragraph 3.2.2.5. The Chairperson, ERB, will ensure that no displacement will be effected without review of the technical qualifications of the surplus appointees by the gaining EPM.

3.2.2.4. Assignment Rights. SES career appointees who can displace other appointees through the formal RIF process may be offered vacant SES positions within the Agency for which they meet the technical qualifications.

a. If there are fewer vacancies than appointees with assignment rights, the Chairperson, ERB, will recommend to the Administrator the placements to be made.

b. Appointees who fail to accept a directed reassignment may be removed from the Federal service under adverse action procedures.

3.2.2.5. NASA Certification to OPM and OPM Placement Effort

a. When the Agency is unable to make placement of a post-probationary appointee in a surplus position or a post-probationary displaced appointee in a vacant SES position for which he or she is qualified, the Chairperson, ERB, must certify in writing to the OPM that no such position is available.

b. OPM has 45 days from receipt of the Agency certification to attempt placement of a post-probationary career appointee identified for RIF in any agency. These career appointees remain on NASA rolls during this period. If an appointee declines a reasonable offer of placement, OPM's placement efforts will cease, and the appointee may be removed from the SES at the end of the NASA notice period. Should a vacancy occur for which the appointee is qualified, NASA has continuing placement responsibility during the OPM assistance period.

3.2.2.6. Guaranteed Placement Outside the SES

a. If the appointee is not placed in an SES position after the above process has been completed, eligible appointees will be considered for placement outside the SES in accordance with 5 CFR Part 359, Subpart G.

b. Appointees who fail to accept a directed reassignment may be removed from the Federal service under adverse action procedures.

3.2.3. Notice to Post-Probationary Appointee

3.2.3.1. Reassignment Notice. Offers of reassignment to other SES positions in the same geographic area will be made at least 15 days prior to the effective date. Offers of reassignment to other SES positions in a different geographic area will be made at least 60 days prior to the effective date.

3.2.3.2. First SES Removal Notice. An appointee identified for RIF, who cannot be placed in another SES position

within the Agency, will be given a written notice in advance of NASA certification to OPM (see paragraph 3.2.2.5) for 45-day placement assistance. At a minimum, the notice will specify the following:

- a. The action to be taken and its proposed effective date.
- b. The nature of the competition, including the appointee's competitive area and standing on the retention register.
- c. The place where the appointee may inspect the regulations and records pertinent to the action.
- d. Placement rights within NASA and through OPM, including how the employee can apply for OPM placement assistance.
- e. The appointee's appeal rights, including the time limit for appeal and the location of the Merit Systems Protection Board (MSPB) office to which an appeal should be sent.
- f. The name and telephone number of the individual who is available to provide counseling concerning the appointee's rights.

3.2.3.3. Second SES Removal Notice. An appointee who received the notice described in paragraph 3.2.3.2 will be given a second written notice at least 1 day before removal from the SES. At a minimum, this notice will state the following:

- a. The basis for the removal (e.g., expiration of the 45-day OPM placement period (5 U.S.C. 3595(b)(5)) or declination of a reasonable offer (5 U.S.C. 3595(b)(4)), including position offered and date declined).
- b. The effective date of the removal.
- c. Placement rights outside the SES and, when applicable, the appointee's eligibility for discontinued service retirement in lieu of placement.
- d. Reminder of the appointee's appeal rights.

3.2.4. Notice to Probationary Appointee

3.2.4.1. Reassignment Notice. Offers of reassignment to other SES positions in the same geographic area will be made at least 15 days prior to the effective date. Offers of reassignment to other SES positions in a different geographic area will be made at least 60 days prior to the effective date.

3.2.4.2. Removal Notice. A probationary appointee identified for RIF and who cannot be placed in another SES position in NASA will be notified in writing prior to the effective date of the action. At a minimum, the notice will specify the following:

- a. Whether the appointee has placement rights to a position outside the SES and if so, the position to which the appointee will be assigned.
- b. Effective date of the action.
- c. The appointee's appeal rights, including the time limit for appeal and the location of the MSPB office to which an appeal should be sent.
- d. The name and telephone number of the individual who is available to provide counseling concerning the appointee's rights.

3.3. Appeal Rights to Merit Systems Protection Board (MSPB)

A career appointee may appeal to the MSPB whether the RIF complied with competitive procedures as required by 5 CFR 359.602(a).

3.4. Records

All records pertaining to an SES RIF will be kept by NASA for at least 2 years or until appeals are closed.